

FILED '09 JAN 16 12:08 USC-ORP

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENNIS PAUL TIMMINS,

Defendant.

99-CR-49 BR

ORDER

BROWN, Judge.

On January 8, 2009, the Court received a letter from Defendant seeking reimbursement of monies that Defendant asserts he had overpaid in this matter. The Court construed the letter as a Motion for Reimbursement and directed the Clerk to docket Defendant's letter accordingly. This matter is now before the Court as Docket No.144.

Defendant was originally sentenced in this matter on July 10, 2000. The Judgment entered on July 11, 2000, reflected, among other things, a monetary obligation of \$100 for each of the five counts of conviction for a total special assessment of \$500.00. No other monetary penalties were imposed.

Defendant appealed his convictions, and the matter was ultimately remanded to this Court

on January 15, 2004, to determine whether Defendant was competent during certain proceedings preceding imposition of sentence.

On remand, the Court vacated the original Judgment and convictions. Thereafter, pursuant to a plea agreement, Defendant pled guilty to, and was sentenced on, a single count of the Indictment, and all other counts were dismissed. In the new Judgment entered on February 28, 2006, the Court imposed a \$100 special assessment for the new single count of conviction. No other monetary penalties were imposed.

Defendant has provided documentation and the Clerk's financial office has verified that Defendant has paid through the Bureau of Prisons approximately \$250.00 toward the original financial obligations imposed by the Court, which is \$150.00 more than the final monetary obligation imposed in the February 28, 2006, Judgment.

The Court notes the government does not object to Defendant's request for reimbursement.

For all these reasons, the Court **GRANTS** Defendant's request for reimbursement (#144) and directs the Clerk of Court to disburse to Defendant at his last known place of confinement the sum of \$150.00, which represents the excess funds Defendant paid under the now-vacated original Judgment.

IT IS SO ORDERED.

DATED this 15th day of January, 2009.


ANNA J. BROWN
United States District Judge

cc: Clerk's Office, Finance